

REMARKS

Claims 1, 2, 4-15, and 29 are pending in this application.

Applicant has amended claims 1, 4-12, and 29, and has canceled claim 3 (claims 16-28 were previously canceled). These changes do not introduce any new matter.

Rejection under 35 U.S.C. § 102

Applicant respectfully requests reconsideration of the rejection of claims 1-15 and 29 under 35 U.S.C. § 102(e) as being anticipated by *Matsuhira* (US 6,898,332 B2) (as noted above, claim 3 has been canceled herein). As will be explained in more detail below, the *Matsuhira* reference does not disclose each and every feature of independent claims 1, 15, and 29, as presented herein.

The *Matsuhira* reference discloses a device and method for image processing. Considering first independent claim 1, Applicant respectfully traverses the Examiner's characterization of the *Matsuhira* reference relative to step (b) ("determining an image generation area") of claim 1. As set forth in column 10, lines 22-29, *Matsuhira* acquires an affine transformation image that is most similar to a local region image (S12), reduces the acquired affine transformation image to the same size as the local region image (S13), and adds the reduced image to previously acquired affine transformation images (S14).

Matsuhira takes the same processing steps with respect to all of the pixels of the original image (see column 10, lines 30-33), and averages the overlapping portions of the affine transformation images, thus producing an output image (S17) (see column 10, lines 42-47).

In the foregoing manner, *Matsuhira* generates a high density image in the area of the original image (see Figure 2(A)). Thus, *Matsuhira* does not determine an image generation area based on an overlap between a plurality of first images as specified in step (b) of independent claim 1.

For the reasons set forth above, the *Matsuhira* reference does not disclose step (b) of claim 1. Nevertheless, in an effort to expedite prosecution of this application, Applicant has amended claim 1 to include the features specified in original claim 3. Step (b2) of amended claim 1 specifies “selecting one of the candidate areas as the image generation area from among the plurality of candidate areas, based on an evaluation value for each of the candidate areas which is determined based on overlaps between the plurality of first images and the candidate area.”

Matsuhira acquires each affine transformation image and calculates its distance from the local region image while altering the parameters from the initial values up to the maximum values (S5 to S11) (see column 10, lines 11-16). *Matsuhira* then acquires an affine transformation image that is most similar to the local region image (see column 10, lines 22-25). In *Matsuhira*’s configuration, the distance indicates similarity, not degree of overlap (see column 9, line 64 to column 10, line 3). Further, as noted above, *Matsuhira* reduces the affine transformation image that is most similar to the local region image to the same size as the local region image, and adds the reduced image to the previously acquired affine transformation images (see column 10, lines 22-29).

Thus, for at least the foregoing reasons, *Matsuhira* does not disclose either “selecting one of the candidate areas as the image generation area” or “an evaluation value...which is determined based on overlaps between the plurality of first images and the candidate area” as specified in step (b2) of amended claim 1.

Further, Applicant respectfully traverses the Examiner’s characterization of the *Matsuhira* reference relative to step (c) of claim 1, which recites “generating the second image in the image generation area from the plurality of first images.” The intent of the *Matsuhira* reference is to generate a higher quality image from a low quality original image as shown in Figure 2. There is no description (or suggestion) in the *Matsuhira* reference

regarding the generation of a second image in an image generation area *from the plurality of first images*. Thus, the *Matsuhira* reference does not disclose (or suggest) the features of step (c) of claim 1.

Still further, *Matsuhira* uses fractal similarity, which is that a partial image of an entire image is similar to the image of a larger area including the partial image, so as to improve the quality of the entire image (see column 11, line 49 to column 12, line 34; column 14, lines 33-53; column 17, lines 43-65; and column 20, lines 38-64). As such, *Matsuhira* is incapable of obtaining an image having better quality when the original image does not have enough fractal similarity. On the other hand, the claimed configuration generates a higher-density second image based on a plurality of first images, instead of fractal similarity. Consequently, the claimed configuration is capable of generating a higher-density second image even based on images without fractal similarity.

For at least the foregoing reasons, the *Matsuhira* reference does not disclose each and every feature of claim 1, as amended herein.

Shifting now to independent claim 29, this claim has been amended to define a computer program product that includes a computer program stored on a computer-readable storage medium, with the computer program including instructions for causing a computer to implement functions corresponding to the steps specified in method claim 1, as amended herein. Accordingly, the arguments set forth above regarding claim 1 also apply to claim 29.

Addressing next independent claim 15, this claim defines an image-generating device, which includes an imaging component, a generation area determination component, and an image-generating component. As discussed above in connection with claim 1, the *Matsuhira* reference does not disclose the determination of an image generation area based on an overlap between a plurality of first images. As such, the *Matsuhira* reference does not disclose a generation area determination component as specified in claim 15. Further, as also discussed

above in connection with claim 1, the *Matsuhira* reference does not disclose (or suggest) the generation of a second image in an image generation area *from the plurality of first images*. Thus, the *Matsuhira* reference does not disclose an image-generating component as specified in claim 15. For at least the foregoing reasons, the *Matsuhira* reference does not disclose each and every feature of claim 15.

Accordingly, independent claims 1, 15, and 29, as amended herein, are patentable under 35 U.S.C. § 102(e) over *Matsuhira*. Claims 2 and 4-14, each of which ultimately depends from claim 1, are likewise patentable under 35 U.S.C. § 102(e) over *Matsuhira* for at least the same reasons set forth above regarding claim 1.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of claims 1, 2, 4-15, and 29, as amended herein, and submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP087).

Respectfully submitted,
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